REMARKS

In the above-mentioned office action, all of the pending claims, claims 1-7, were rejected. Claims 1-4 and 5-7 were rejected under Section 102 (e) over the technical specification of 3GPP Document No. TS25.331 b3.16.0 (2003-9). And, claim 5 was further rejected under Section 103(a) over the combination of the 3GPP document and Laitinen.

Responsive to the rejections of the claims, independent claims 1, 6, and 7 have been amended, as set forth herein, in manners believed better to distinguish the invention of the present application over the 3GPP document, taken alone, or in combination with Laitinen.

With respect to exemplary claim 1, the claim has been amended now to recite in the operation of receiving that an information element of the system information block that is received is related to a cell information list and has associated system information. An operation of identifying a same information element is now also recited. In this operation, identification is made of a same information element from each of a block of type 11 and of type 12 in which each is related to at least one cell information list and where the associated information for each of the same information elements is different. And, the recitation of the operation of applying has been amended now to recite that different system information is applied with the information element from block type 11 and then from block type 12. Independent claims 6 and 7 have been analogously amended.

And, more particularly in claim 7, an operation of identifying a same IE in both SIB 11 and SIB 12 that also have different associated system information is recited. And, an operation of applying system information associated with the information element in SIB 11, and of the operation of then applying the system information associated with the information element in SIB 12 is recited.

Support for the amendments is found in the specification, for instance, on page 5, lines 11-21.

The 3GPP document fails to disclose the methods set forth in claims 1, 6, and 7, as now-amended. As now-recited, when two system information blocks are received, and each of the system information blocks has the same information element but with differing system

information therein, the order of the application of the system information, all as now recited, will be that found in the system information block (SIB) 11 followed by that found in the system information block (SIB) 12.

In the rejection of the claims, the examiner relies upon lines 49-50 of section 8.1.1.6.11 of the 3GPP document. The section of the document states that, "if in connected mode, and S system I information B block 12 is indicated as used in the cell: read and act of information set in S system I information B block type 12 as indicated in subclause 8.1.1.6.12". Sections 8.1.1.6.11 and 8.1.1.6.12 are appended hereto on pages A1-A3.

This language of the 3GPP document does not describe the recited operation, as now amended, of identifying two of a same information element in two different SIBs where each of the same information elements have different system information therein.

Furthermore, section 8.1.1.6.12 fails to disclose the operation, recited as now amended. That is to say, this additional section of the 3GPP document does not disclose the operation of identifying two same IEs one in a type 11 SIB and one in a type 12 SIB, with different associated system information. Rather, and to the contrary, this part of the 3GPP document describes what is to be done if certain IEs are not found in one or the other of the blocks 11 or 12.

And, while lines 1-10 of section 10.3.7.44, finds 1.3 of section 8.1.1.4, lines 6-15 of section 8.5.23, and lines 1-7 of section 10.3.7.45, all variously relied upon by the examiner in the rejection of the claims, none of these additional sections of the 3GPP document disclose the invention as now-recited.

Section 10.3.7.44, lines 1-10 states as follows:

> Contains the measured results of the quantity indicated optionally by reporting Quantity in Measurement Control. "Measured results" can be used for both event trigger mode and periodical reporting mode. For intra-frequency and inter-frequency measurements the list shall be in the order of the value of the measurement quantity (the first cell shall be the best cell). The "best" FDD cell has the largest value when the measurement quantity is "Ec/No" or "RSCP". On the other hand, the "best" cell has the smallest value when the measurement quantity is "Primary CCPCHRSCP". For intra-frequency measurements, the ordering shall be applied to all cells included in the IE "Measured

> results". For inter-frequency measurements, the ordering shall be applied to all cells on the same frequency included in the IE "Measured results". For other measurements, the order of reported measurement objects is not specified.

This section appears to pertain to ordering of monitored cells in cell information lists once values associated with cell information lists is/are already known. No disclosure is made as to how to apply incoming, i.e., received at the UE, system information in information elements over multiple SIBs.

Section 8.1.1.4, lines 1-3, states as follows:

> System information block type 10 may be broadcast on FACH, as specified in subclause 8.1.1.1.2. When reading system information blocks on FACH, the UE shall perform the actions as defined in subclause 8.1.1.6.

This section appears to identify where to look in the specification (Section 8.1.1.6) for the actions to take when certain SIBs are received by the user equipment. And, Section 8.1.1.6.11 and 8.1.1.6.12 also fail to disclose the operation as now recited.

Section 8.5.23, lines 6-15 state:

> 3>include a measurement report in the IE 'Measured results on RACH", as specified in the IE "Intrafrequency reporting quantity for RACH reporting" and the IE "Maximum number of reported cells on RACH" in System Information Block type 11.
> 1> for any other uplink RRC message which optionally includes the IE "Measured results on RACH":
> 2> if the IE "Intra-frequency reporting quantity for RACH reporting" and the IE "Maximum number of reported cells on RACH" in System Information Block type 12 (or "System Information Block Type 11" if "System Information Block Type 12" is not being broadcast).
> 3> include a measurement report in the IE "Measured results on RACH", as specified in the IE "Intra-frequency reporting quantity for RACH reporting" and the IE "Maximum number of reported cells on RACH" in System Information Block type 12 (or "System Information Block Type 11" if "System Information Block Type 12" is not being broadcast).

This section appears to identify what to put into a report in an uplink RRC message about a reverse access channel (RACH). Again, there is no disclosure as to what to do in a UE, when the UE receives two different SIBs with a same IE and having different system information associated with each IE.

Section 10.3.7.45, lines 1-7, state:

> Contains the measured results on RACH of the quantity indicated by Reporting quantity in the IE "Intra-frequency reporting quantity for RACH Reporting" in system information broadcast on BCH. The list, measurement results for monitored cells (not including the current cell), should be in the order of the value of the measurement quantity as indicated by Reporting Quantity in the IE "Intra-frequency reporting quantity for RACH Reporting" (the first cell should be the best cell). The "best" FDD cell has the largest value when the measurement quantity is "Ec/No" or "RSCP". On the other hand, the "best" cell has the smallest value when the measurement quantity is "Pathloss". The "best" TDD cell has the largest value when measurement quantity is "Primary CCPCH RSCP".

This section of the 3GGP document is analogous to lines 1-10 of Section 10.3.7.44, set forth above. This section appears to disclose how to order the cells in cell information lists as between cells. Again, there is no disclosure of a manner by which to apply different information from the same IE found in two different SIBs.

Section 8.1.1.1.3 and 8.1.1.1.4 state:

> 8.1.1.1.3 Segmentation and concatenation of system information blocks
>
> A generic SYSTEM INFORMATION message is used to convey the system information blocks on the BCCH.A given BCCH may be mapped onto either a BCH or a FACH transport channel according to subclause 8.1.1.1.2. The size of the SYSTEM INFORMATION message shall fit the size of a BCH or a FACH transport block. Thre RRC layer in UTRAN performs segmentation and concatenation of encoded system information blocks. If the encoded system information block is larger than the size of a SYSTEM INFORMATION message, it will be segmented and transmitted in several messages. If the encoded system information block is smaller than a SYSTEM INFORMATION message, UTRAN may concatenate several system information blocks, or the first

> segment or the last segment into the same message as specified in the remainder of this clause.
> 8.1.1.1.4 Re-assembly of segments
>
> The RRC layer in the UE shall perform re-assembly of segments. All segments belonging to the same master information block or system information block shall be assembled in ascending order with respect to the segment index. When all segments of the master information blocks, scheduling block or a system information block have been received, the UE shall perform decoding of the complete master information block, scheduling block or system information block. For System Information Block types 15.2, 15.3 and 16, which may have multiple occurrences, each occurrence shall be re-assembled independently.

These sections appear merely to disclose a manner by which to handle a single SIB that is too large to be transmitted as a single packet. In such a scenario, the single SIB is broken into segments and reassembled by the UE. Also here, there is no disclosure of a manner by which to apply different system information received in different SIBs but contained in the same IE.

Further, to the extent that the examiner asserts that an applicable order is inherent in the 3GPP document 25.331, such assertion is respectfully traversed. That is to say, the document fails to disclose, either inherently, or explicitly, the ordering recited now in the claims. The network (cell) sending SIBs 11 and 12 may, or may not, order them as SIB 12 following SIB 11. That is to say, it is up to the cell, and its then-current broadcast (link) conditions. The presence of the SIB 12 flag and SIB 11 is to alert the UE to look for an SIB 12 in the broadcast stream, in general. Specific ordering is neither required nor implied. Presence of the flag only means that the SIB 12 is being broadcast. The SIB 12 is an optional SIB. Without careful implementation and depending upon when processing of a packet is carried out in the UE, an SIB of type 11 might be received without further searching for an SIB of type 12. The flag identifies that an SIB 12 exists somewhere in the broadcast stream. Its existence is not equivalent to an ordering.

Laitinen, sited against claim 5, neither was asserted by the examiner for showing, nor does it show, the methodology of claims 1, 6, and 7 as now-amended. The reference was cited merely for showing a computer program product having program code stored on a computer readable medium.

The dependent claims, which include all of the limitations of their parent claim, are believed to be distinguishable over the prior art for the same reasons as those given above.

In light of the foregoing, therefore, claims 1, 6, and 7, and the dependent claims dependent thereon, are believed to be in condition for allowance. Accordingly, reexamination and reconsideration for allowance of the claims, as now-amended, is respectfully requested.

Respectfully submitted,

/Robert H. Kelly/

_____

Robert H. Kelly
Reg. No. 33,922

SCHEEF & STONE, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Telephone: (214) 706-4201
Fax: (214) 706-4242
robert.kelly@scheefandstone.com